

Message

From: Mancusi-Ungaro, Philip [Mancusi-Ungaro.Philip@epa.gov]
Sent: 9/12/2018 8:00:31 PM
To: Neugeboren, Steven [Neugeboren.Steven@epa.gov]; Kupchan, Simma [Kupchan.Simma@epa.gov]; Fotouhi, David [Fotouhi.David@epa.gov]; Wade, Alexis [Wade.Alexis@epa.gov]; Wehling, Carrie [Wehling.Carrie@epa.gov]; Palmer, Leif [Palmer.Leif@epa.gov]
CC: Mancusi-Ungaro, Philip [Mancusi-Ungaro.Philip@epa.gov]; Hicks, Matt [Hicks.Matthew@epa.gov]
Subject: RE: ESA language for EPA-FDEP MOA
Attachments: Draft CWA 404(g) MOA Between DA and FL DEP 08312018 (Track Changes)PMU WITH ESA LANGUAGE.docx

Attached is the latest version of the COE/FDEP MOA. It has some highlighted language that they are still working through. I inserted the **Ex. 5 AC/DP** This is where we felt it made the most sense.

Phil

Philip G. Mancusi-Ungaro
Attorney-Adviser
Office of Water Legal Support
USEPA Region 4
61 Forsyth St, SW
Atlanta, GA 30303
Tel: 404-562-9519
Cell: **Ex. 6 Personal Privacy (PP)**

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From: Neugeboren, Steven
Sent: Wednesday, September 12, 2018 3:16 PM
To: Kupchan, Simma <Kupchan.Simma@epa.gov>; Fotouhi, David <Fotouhi.David@epa.gov>; Wade, Alexis <Wade.Alexis@epa.gov>; Wehling, Carrie <Wehling.Carrie@epa.gov>; Mancusi-Ungaro, Philip <Mancusi-Ungaro.Philip@epa.gov>; Palmer, Leif <Palmer.Leif@epa.gov>
Subject: RE: ESA language for EPA-FDEP MOA

Thanks Simma. David is also interested in seeing and then sharing with Matt the revised corps/state MOA **Ex. 5 AC/DP**

Ex. 5 AC/DP

Steve Neugeboren
Associate General Counsel for Water
U.S. EPA
1200 Pennsylvania Ave., NW
Washington, DC 20460
202 (564-5488)

From: Kupchan, Simma

Sent: Wednesday, September 12, 2018 12:46 PM

To: Fotouhi, David <Fotouhi.David@epa.gov>; Neugeboren, Steven <Neugeboren.Steven@epa.gov>; Wade, Alexis <Wade.Alexis@epa.gov>; Wehling, Carrie <Wehling.Carrie@epa.gov>

Subject: RE: ESA language for EPA-FDEP MOA

Yes, David, ORC has confirmed that the Thursday version is the latest, though with a minor tweak or two. Here is the latest, including tweaks, with the ESA part inserted into the full MOA in redlines.

I am also sending a clean version of the full MOA.

Simma Kupchan
EPA Office of General Counsel
Water Law Office
202-564-3105
WJC North #7426Q

From: Fotouhi, David

Sent: Wednesday, September 12, 2018 11:21 AM

To: Kupchan, Simma <Kupchan.Simma@epa.gov>; Neugeboren, Steven <Neugeboren.Steven@epa.gov>; Wade, Alexis <Wade.Alexis@epa.gov>; Wehling, Carrie <Wehling.Carrie@epa.gov>

Subject: RE: ESA language for EPA-FDEP MOA

I'd like to share the ESA language from the EPA-FDEP MOA with Matt and Dave. Is the version Steve circulated on Thursday the latest version?

David Fotouhi

Deputy General Counsel
Office of General Counsel
U.S. Environmental Protection Agency
Tel: +1 202.564.1976
fotouhi.david@epa.gov

From: Kupchan, Simma

Sent: Friday, September 7, 2018 4:46 PM

To: Neugeboren, Steven <Neugeboren.Steven@epa.gov>; Wade, Alexis <Wade.Alexis@epa.gov>; Fotouhi, David <Fotouhi.David@epa.gov>; Wehling, Carrie <Wehling.Carrie@epa.gov>

Subject: RE: ESA language for EPA-FDEP MOA

David,

We have all reviewed the revisions and are comfortable with the revised draft of the MOA. Thank you for your attention.

Simma Kupchan
EPA Office of General Counsel
Water Law Office
202-564-3105
WJC North #7426Q

From: Neugeboren, Steven

Sent: Thursday, September 06, 2018 10:59 PM

To: Wade, Alexis <Wade.Alexis@epa.gov>; Fotouhi, David <Fotouhi.David@epa.gov>; Wehling, Carrie <Wehling.Carrie@epa.gov>; Kupchan, Simma <Kupchan.Simma@epa.gov>

Subject: Fwd: ESA language for EPA-FDEP MOA

We got the language below in today and David perhaps you received separately. We will take a look.

Sent from my iPhone

Steven Neugeboren
Associate General Counsel for Water
U.S. EPA
202-564-5488

Begin forwarded message:

From: "Ghosh, Mita" <Ghosh.Mita@epa.gov>
Date: September 6, 2018 at 9:43:25 PM EDT
To: "Kupchan, Simma" <Kupchan.Simma@epa.gov>, "Neugeboren, Steven" <Neugeboren.Steven@epa.gov>
Cc: "Palmer, Leif" <Palmer.Leif@epa.gov>
Subject: FW: ESA language for EPA-FDEP MOA

Simma and Steve:

Attached is the ESA language for our Florida assumption MOA (EPA-FDEP) incorporating **Ex. 5 AC/DP**

Ex. 5 AC/DP

I believe David Fotouhi is going to reach out to you to make sure that you are okay with the language. Thanks

Mita

Mita Ghosh
Chief, Office of Water Legal Support
Office of Regional Counsel
United States Environmental Protection
Region 4
404-562-9568

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